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APR 12 2006

(1)

**United State Patent and Trademark Office**  
**The Examiner**  
 Lewis Patrick T.....esq  
 Fax No: + 571-273-8300

The Inventor  
 Nida Nassief

+974 4650 664

My Ref: US Patent Application No.: 09/944,564

Date: 04/12/2006  
 Total No. of pages: 10

**Re: Confirmation of sent response to the Office Action dated 11/21/2005**

Dear Examiner Dr. Lewis Patrick:

Further to our telephone conversation April the 10<sup>th</sup>, please find a copy of the response to the above-identified Office Action. May I kindly bring to your attention that it has been faxed within the required time limit; before midnight (USA time) of the February 20<sup>th</sup>, 2006. I am living in Doha – Qatar with 8 hours time difference.

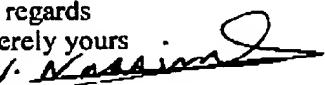
The following table indicates the previous response sent already in time to the USPTO fax number and the "sending confirmation" pages:

Sent faxes	Fax number	comments	Sending confirmation	Date	Serial page No.
1-	+571-272-0655	Mentioned in the Office Action	Not in service	Feb. 20	-
2-	+571-273-8300	Patent central fax from Web site	Sending error repeatedly	Feb. 20	3
2-	+571-273-0140	Mail stop issue fee from OG	<u>Send OK</u> Before midnight	Feb. 20	4
3-	+571-273-0661	Given to me in previous discussion	<u>Send OK</u> before midnight	Feb. 20	5
4-	+571-273-0661	Clarification letter	Scnd OK	Feb. 27	6
5-	+571-273-8300	Further to telephone Conversation asking about patent issue date		Apr.11	Sent today

Pages 7 – 8 are the previous response, and 9 -10 are the clarification letter. Thank you for your kind consideration.

Best regards

Sincerely yours

  
 Nida Nassief

**BEST AVAILABLE COPY**

(2)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FL. FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/944,564	09/04/2001	1623	0.00			24	15

**CONFIRMATION NO. 8478**

AL-JASSIM Rawaa  
24 W. 601 Birdsong Court  
Naperville, IL 60540

**FILING RECEIPT**

0C000000006875011\*

Date Mailed: 10/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Nida Abdul-Ghani Nassier, Doha, IRAQ;

**Domestic Priority data as claimed by applicant**

**Foreign Applications**

UNITED KINGDOM 9904777.1 03/02/1999

If Required, Foreign Filing License Granted 10/06/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

Asthma/allergy therapy that targets T-lymphocytes and/or eosinophils

**Preliminary Class**

514

Via Patent Central Fax Page 1/3  
571-273-8300

Sent Journal

(3)

**BEST AVAILABLE COPY**

Date : 21-FEB-2006 TUE 18:32  
 Name : CLINIPHARMA LTD  
 Tel. : +9744650664

No.	Fax Name/Number	Start Time	Time	Mode	Pages	Result
201	061262853593	05-28 10:23	01'53"	G3	3	Ok
202	061262837999	05-28 10:43	00'19"	G3	1	Document Jam
203	061262837999	05-28 10:46	01'40"	G3	3	Ok
204	097126427120	06-11 19:07	00'17"	ECM	1	Document Jam
205	097126427120	06-11 19:09	00'31"	ECM	2	Document Jam
206		06-11 19:10	00'00"	ECM	0	No Answer
207	097126427120	06-11 19:12	00'17"	ECM	1	Document Jam
208	097126427120	06-11 22:23	02'17"	ECM	8	Ok
209	097126427120	06-11 22:30	01'41"	ECM	6	Ok
210	097126427120	06-11 22:34	02'39"	ECM	6	Ok
211	061262837999	06-21 16:31	00'44"	G3	2	Document Jam
212	061262837999	06-21 16:34	00'45"	G3	2	Document Jam
213	097143434176	07-19 12:41	00'08"	ECM	1	Document Jam
214	017038729306	08-24 23:10	00'26"	ECM	0	Send Error
215	017038729306	08-24 23:13	03'15"	ECM	13	Ok
216	015712738300	08-24 23:18	00'26"	ECM	0	Send Error
217	015712738300	08-24 23:20	00'26"	ECM	0	Send Error
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219	0441633813600	01-22 12:21	00'28"	ECM	1	Send Error
220	0441633813600	01-23 11:33	00'46"	ECM	3	Document Jam
221	0441633813600	01-23 11:35	00'00"	ECM	0	Stop Pressed
222	0441633813600	01-24 18:13	00'32"	ECM	1	Document Jam
223	044163381444	01-25 19:50	00'00"	ECM	0	Stop Pressed
224	0441633814444	01-25 19:53	01'16"	ECM	4	Ok
225	015712738300	02-21 06:47	00'27"	ECM	0	Send Error
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227	015712738300	02-21 06:51	00'27"	ECM	0	Send Error
228	015712738300	02-21 06:54	00'26"	ECM	0	Send Error
229	015712730140	02-21 07:03	00'53"	ECM	3	Ok
230	015712738300	02-21 07:08	00'27"	ECM	0	Send Error
231	015712738300	02-21 07:20	00'27"	ECM	0	Send Error
232	015712730661	02-21 08:15	00'27"	ECM	0	Send Error
233	015712730661	02-21 08:19	00'49"	ECM	3	Ok
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240	015712730661	02-21 18:32	00'27"	ECM	0	Send Error

S e n d i n g C o n f i r m

(4)

Date : 21 FEB-2006 TUE 07:04  
Name : CLINIPHARMA LTD  
Tel. : +9744650664

Phone	:	015712730140
Pages	:	3
Start Time	:	02-21 07:03
Elapsed Time	:	00'53"
Mode	:	ECM
Result	:	Ok

Send OK to Fee

W a r i n g a C o n f i r m a t i o n

(5)

Date : 21-FEB-2006 TUE 08:20  
Name : CLINIPHARMA LTD  
Tel. : +9744650664

Phone	:	015712730661
Pages	:	3
Start Time	:	02-21 08:19
Elapsed Time	:	00:49"
Mode	:	ECM
Result	:	Ok

Examiner Fax

S e n d i n g C o n f i r m

(6)

Date : 27-FEB-2006 MON 11:35

Name : CLINIPHARMA LTD

Tel. : +9744650664

Phone	:	015712730661
Pages	:	3
Start Time	:	02-27 11:34
Elapsed Time	:	00'51"
Mode	:	ECM
Result	:	Ok

USPTO Exam Reply Feb 06  
second letter expl. sent 27/2

(7)

Examiner  
Dr. Lewis, Patrick T.  
Fax: +703-872-9306

The inventor/applicant  
Nida A-G Nassief

Date: 02.20.2006

Application Number 09/944,564

**Re: Response to Office Communication mailed 11/21/2005**

Dear Examiner:

In reply to your Office Action identified above, please find the following response:

**Election/Restriction**

Agree to paragraph 1 (final election of glycophosphopeptidal) and paragraph 2 (withdrawal of claims 28-34).

**Applicant's response dated August 4, 2004**

Paragraph 3: An action on the merit of claims 25-27 is contained herein below.

**Claim rejections – 35 USC 102**

The basis of the rejection is 35 U. S. C. 102 (b);  
A person shall be entitled to a patent unless- the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the united states.

Claims 25-27 are rejected as being anticipated by Sanchez Palacios A. et al. According to the paragraph in page 3, paragraph 5 of the Office Action identified above and the introduction, Sanchez is referring to childhood infectious respiratory pathology (asthmatic bronchitis) which is not bronchial asthma which is allergic or atopic also called as type I hypersensitivity.

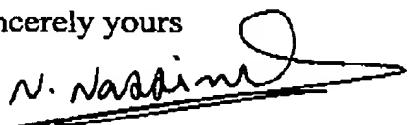
If we refer to the Material Y Metodos in the article first paragraph:  
Patient selection is excluding patients with allergic asthma "no atopicos", cutaneous pñemoallergen positive e IgE total normal"

(8)

References will be sent separately.

Best regards

Sincerely yours



Nida Nassief

(9)

## United States Patent and Trademark Office

The Examiner

Dr. Lewis, Patrick T.

Fax: +571-273-0661

The inventor/applicant

Nida A-G Nassief

Date: 02.27.2006

1 number of page Total

Application Number 09/944,564

## Fax Letter

Re: Response to Office Communication mailed 11/21/2005

Dear Examiner:

Further to the reply sent by fax, may i kindly send some clarifications

First: The last line of the first page of the response under Claim rejection: the word "positive" has been typed by error instead of "negative", excuse me. Regarding further references that will be sent separately, as mentioned at the end of the report, I do not find it necessary to do so now because I believe that the differences between asthmatic bronchitis and atopic asthma are clear from the article.

Second: May I kindly explain that during my reply to your Office Action identified above and before midnight of the February 20<sup>th</sup>, 2006 the following happened: While faxing the answer to the fax number mentioned in the Office Action which is +703-872-9306, repeatedly the answering machine reply was that "this number is not in service, please check area code and number and dial again".

I have tried new numbers from USPTO website and selected the Patent central fax +571-273-8300 and repeatedly there were sending error.

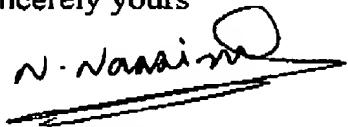
According to the USPTO Official Journal Notices, February 14, 2006, The Mailing and Hand carry Addresses for Mail to the United States Patent and Trade Mark Office, fax number mentioned was for the Mail Stop to Issue Fee which is +571-273-0140, the fax letter sent , result OK, hours before midnight of the 20<sup>th</sup> February 2006.

(10)

Later, in my notes from previous discussion a fax number that you have advised me to use is 571-273-0661. Therefore the other copy was sent to this number an hour later. I hope it was received in time.

Best regards

Sincerely yours



Nida Nassieef